

**30890. Adulteration and misbranding of obstetrical sutures. U. S. v. 1½ Dozen Boxes, each containing 12 Tubes of Obstetrical Sutures. Default decree of condemnation and destruction. (F. & D. No. 44736. Sample No. 59345-D.)**

This product had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination it was found to be contaminated with viable micro-organisms.

On January 27, 1939, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1½ dozen boxes, each containing 12 tubes of obstetrical sutures, at Scranton, Pa.; alleging that the article had been shipped on or about June 24, 1937, by Johnson & Johnson from New Brunswick, N. J.; and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that its purity fell below the professed standard or quality under which it was sold, namely, "Sterile \* \* \* sutures," since it was not sterile.

It was alleged to be misbranded in that the statements on the label, "Tested for Sterility. Samples from this lot of sutures have been tested in our Bacteriological Laboratories and found sterile. Bacteriological Test No. E 13," and "Sterile \* \* \* Sutures," were false and misleading, since they created the impression that the article was sterile; whereas it was not, but was contaminated with viable micro-organisms and was unsuitable for surgical use.

On August 25, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

*M. L. WILSON, Acting Secretary of Agriculture.*

**30891. Adulteration and misbranding of eucalyptus oil. U. S. v. 84 Pounds of Oil Eucalyptus. Default decree of condemnation and destruction. (F. & D. No. 45424. Sample No. 45799-D.)**

This product did not comply with the requirements of the United States Pharmacopoeia in that it was not soluble in 5 volumes of 70 percent alcohol and it contained less than 64 percent of eucalyptol.

On June 1, 1939, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 84 pounds of eucalyptus oil at Chicago, Ill.; alleging that the article had been shipped on or about April 21, 1939, by the Citrus & Allied Essential Oil Co. from New York, N. Y.; and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia but differed from the standard of strength, quality, and purity as determined by the test laid down in the pharmacopoeia, and its own standard of strength, quality, and purity was not stated on the label.

It was alleged to be misbranded in that the statement on the label, "Oil Eucalyptus," was false and misleading.

On July 31, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

*M. L. WILSON, Acting Secretary of Agriculture.*

**30892. Adulteration and misbranding of gauze bandages. U. S. v. 24 Dozen Packages of Gauze Bandages (and 1 other seizure action against the same product). Default decrees of condemnation and destruction. (F. & D. Nos. 45303, 45456, 45457. Sample Nos. 30756-D, 40964-D.)**

This product had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination it was found to be contaminated with viable micro-organisms.

On May 13 and June 14, 1939, the United States attorneys for the Northern and the Western Districts of Texas, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 24 dozen packages of gauze bandages at Lubbock, Tex., and 92 dozen packages of gauze bandages at El Paso, Tex.; alleging that the article had been shipped from New Rochelle, N. Y., by the American White Cross Laboratories—the lot at Lubbock, on or about April 1, 1939, and that at El Paso, on or about May 28, 1938; and charging adulteration and misbranding of the former lot and misbranding of the latter in violation of the Food and Drugs Act.

The lot seized at Lubbock was alleged to be adulterated in that its purity fell below the professed standard or quality under which it was sold, namely, (on 1 dozen containers) "Sterilized," since it was not sterile but was contaminated with viable micro-organisms.

Both lots were alleged to be misbranded in that the statements, (lot at Lubbock, 1 dozen containers) "Hospital Brand Gauze Bandages, Sterilized after packaging," and (both lots, labels) "Hospital bandage," "This Bandage is \* \* \* Prepared Under the Most Sanitary and Scientific Conditions. Absolute Satisfaction Guaranteed," and the design of a surgeon and nurse, also appearing on the labels of both lots, were false and misleading when applied to an article that was not sterile but was contaminated with viable micro-organisms.

On July 31 and August 16, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**30893. Adulteration and misbranding of First Aid Kits. U. S. v. 93 First Aid Kits. Default decree of condemnation and destruction. (F. & D. No. 45401. Sample No. 41270-D.)**

This product had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination the absorbent cotton and the surgical gauze in the kits were found to be contaminated with viable micro-organisms.

On May 25, 1939, the United States attorney for the District of Montana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 93 first aid kits at Billings, Mont.; alleging that the article had been shipped on or about March 16, 1939, by the American White Cross Laboratories, Inc., from New Rochelle, N. Y.; and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration was alleged in that the purity of the article fell below the professed standard and quality under which it was sold, namely, "Surgical Gauze" and "Absorbent Cotton," in that the kits were not sterile but were contaminated with viable micro-organisms.

Misbranding was alleged in that the statements (absorbent cotton, carton) "Sterilized, The White Cross of Perfection is Your Protection Sterilized After Packaging," (surgical gauze, carton) "Sterilized The White Cross of Perfection is Your Protection Surgical Gauze Sterilized after Packaging," (card enclosed in kits) "Often small cuts or burns are not considered serious and are dismissed too lightly. The slightest injury if not treated at once may cause infection. Keep a First Aid Kit handy and be prepared in an emergency. Use American White Cross surgical dressings. None better," (leaflet enclosed in kits) "Bleeding Wounds With Severe Bleeding Veins—\* \* \* Apply to sterilized gauze pad tightly directly over the wound \* \* \* Arteries—\* \* \* cover with sterilized gauze \* \* \* Nose Bleeding—Hold head back. Breathe in through the nose and out through the mouth. If these fail, pack nostril with sterilized gauze or cotton. \* \* \* Cuts and Wounds \* \* \* Apply antiseptic and sterilized gauze dressing," were false and misleading, since the gauze and absorbent cotton were not sterile but were contaminated with viable micro-organisms.

On July 11, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**30894. Adulteration and misbranding of sandalwood oil and misbranding of imitation sandalwood oil. U. S. v. Magnus, Mabey & Reynard, Inc. Plea of guilty. Fine, \$960. (F. & D. No. 42712. Sample Nos. 1714-D, 8053-D, 10832-D, 10833-D, 13030-D, 15925-D, 16212-D, 16213-D, 16253-D, 16254-D, 16255-D, 16471-D, 16472-D, 18028-D, 21518-D, 23743-D, 23744-D, 23745-D, 24355-D, 24865-D, 28966-D, 30053-D.)**

This case involved a large number of shipments of a product labeled, "Oil Sandalwood East Indian U. S. P.," which differed from the standard for sandalwood oil laid down in the United States Pharmacopoeia since it did not have the characteristic odor of sandalwood and contained terpineol, an adulterant. There were also included two shipments of a product intended for use as a drug and labeled "Oil Sandalwood Imitation." Imitation drugs are misbranded in violation of the Food and Drugs Act.

On July 17, 1939, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the